

Application Serial No.: 10/812,945
Reply to Office Action dated June 13, 2005

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-15 are presently active in this case, Claims 1-11 having been amended and Claims 12-15 having been added by way of the present Amendment.

Care has been taken such that no new matter has been entered. Support for the claim amendments are clearly provided in the originally filed specification including the drawings, written description, and original claims.

In the outstanding Official Action, the abstract of the disclosure was objected to because of a minor informality. Accordingly, a new Abstract of the Disclosure has been added in place of the original abstract. Accordingly, the Applicant requests the withdrawal of the objection to the abstract.

Claims 3-11 were objected to under 37 CFR 1.75(c) as being in improper multiple dependent form. Claims 3-11 have been amended to remove the improper multiple dependencies. Accordingly, the Applicant requests the withdrawal of the objection to the claims.

Claims 1 and 2 were rejected under 35 U.S.C. 102(b) as being anticipated by Becker (U.S. Patent No. 6,297,482) or Becker et al. (U.S. Patent No. 6,501,053). For the reasons discussed below, the Applicant respectfully requests the withdrawal of the anticipatory rejections.

In the Office Action, the Becker reference and the Becker et al. reference are indicated as anticipating independent Claim 1. However, the Applicant notes that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As will be demonstrated below, the Becker reference and the Becker et al. reference clearly do not meet each and every limitation of independent Claim 1.

Claim 1 of the present application advantageously recites a glass-ceramic plate comprising, among other features, at least one opening located within a bent portion of said plate. The Becker reference and the Becker et al. reference do not disclose an opening within a bent portion of a plate, as expressly recited in Claim 1.

The Becker reference describes a kitchen cooking arrangement (2) that includes a countertop (5) having an upper surface (7). The kitchen cooking arrangement (2) also incorporates a cooktop (15) that includes a main plate portion (18) which is secured upon upper surface (7) of countertop (5). The main plate portion (18) includes a downdraft venting arrangement including a grill (36) which, as shown, extends fore-to-aft from frontal section (21) to rear section (22). The cooktop (15) also includes a face plate portion (38) that defines a heating element control panel.

The Official Action cites the opening around grill (36) for the teaching of the opening of Claim 1 of the present application. The Applicant notes that the grill (36) is a separate

feature from the cooktop (15), as is evident from a review of Claim 3 of the Becker reference which recites the downdraft grill as an additional element separate from the unitary cooktop. The opening within which the grill (36) is positioned is not located within a bent portion of the cooktop. The only portion of the cooktop (15) that is not planar is face plate portion (38), which is positioned well away from the opening about the grill (36).

Accordingly, the Becker reference does not disclose an opening within a bent portion of a plate, as expressly recited in Claim 1 of the present application. Thus, the Applicant respectfully requests the withdrawal of the anticipation rejection of Claim 1 based on the Becker reference.

The Becker et al. reference describes the same kitchen cooking arrangement (2) as described above with respect to the Becker reference. Accordingly, for the same reasons discussed above, the Becker et al. reference does not disclose an opening within a bent portion of a plate, as expressly recited in Claim 1 of the present application. Thus, the Applicant respectfully requests the withdrawal of the anticipation rejection of Claim 1 based on the Becker et al. reference.

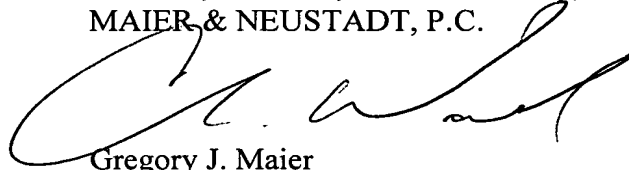
The dependent claims are considered allowable for the reasons advanced for Claim 1 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed nor suggested by the applied references when those features are considered within the context of Claim 1.

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Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read 'G. Maier', is written over the printed name of Gregory J. Maier.

Gregory J. Maier
Registration No. 25,599
Attorney of Record

Christopher D. Ward
Registration No. 41,367

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/01)

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IN THE DRAWINGS

The attached sheet of drawings includes changes to Figs. 1 and 2. This sheet, which includes Figs. 1 and 2, replaces the original sheet including Figs. 1 and 2.

Attachment: Replacement Sheet